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Date: May 18, 2004

Fax: 703-872-9306

To: Examiner J. Allen Shriver
At: U.S. Patent and Trademark Office
From: Ralph E. Smith
Registration No. 35,474

Phone: 248-944-6519
Fax: 248-944-6537

Total number of pages, including cover sheet: 10

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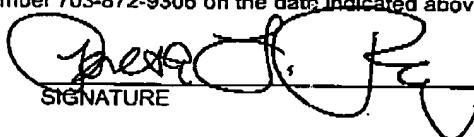
Comments:

RE: Resubmission of Petition to Withdraw Abandonment
U.S. Serial No. 09/373,038, filed August 12, 1999
"Sled System for Mounting Parking Brake and Shift Assemblies"
Attorney Ref. No. 98-26

CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8)

Date of transmission: May 18, 2004. I hereby certify that this paper is being facsimile transmitted to Art Unit 3618 of the United States Patent and Trademark Office at fax number 703-872-9306 on the date indicated above.

TERESA L. TOMAYKO
NAME OF PERSON MAILING PAPER


SIGNATURE

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DaimlerChrysler Corporation
CIMS 483-02-19
800 Chrysler Drive East
Auburn Hills, MI 48326-2757

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriver

Filed: August 12, 1999

Art Unit: 3618

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

TRANSMITTAL LETTER

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In a phone conference today to inquire on the status of the above-referenced application, we were advised that the Patent Office records do not show receipt of our Petition to Withdraw Abandonment Based on Failure to Receive Office Action filed on January 4, 2002 in this case. Accordingly, we are resubmitting a copy of the Petition as well as a copy of the postcard evidencing receipt of the Petition.

Applicant respectfully requests expeditious and favorable action on this Petition.

If a telephone conference would expedite allowance or resolve any further questions, such a conference with the undersigned is invited at the convenience of the Examiner.

Respectfully submitted,

By:



Ralph E. Smith
Reg. No. 35,474
Attorney for Applicant

Dated: 5/18/04
CIMS 483-02-19

DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION
DAIMLER CHRYSLER TECHNOLOGY CENTER
800 CHRYSLER DRIVE EAST
AUBURN HILLS, MI 48326-2757
248-944-6519

The Patent and Trademark Office is kindly requested to advise that the accompanying paper:

Inventor(s): Bell et al. Serial/Patent No. 09/373,038
Date: 1-4-02 Attorney: RES File No.: 98-26

- PATENTS -

New Patent Application Certificate of Express Mail
 CON CIP DIV FWC Page(s) Specification
 Provisional PCT Sheet(s) Drawings (Formal/Informal) JAN 24 2002
 Executed Declaration Information Disclosure PTO 1449
 Missing Parts Transmittal Sheet Fee Transmittal Sheet
 Notice of Appeal Recordation Cover Sheet Assignment
 Appeal Brief Response/Amendment Extension of Time
 Issue Fee Transmittal Priority Document Status Inquiry
 Maint. Fee Transmittal Make of Record Letter Drawing Transmittal
Petition to Withdraw Abandonment, Statement of Facts
Other: of T. Good, Statement of Facts of R. Smith, One Page
Docket

has received the date-of-receipt stamp which is impressed hereon.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 18 2004

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriner

Filed: August 12, 1999

Art Unit: 3611

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

OFFICIAL

**PETITION TO WITHDRAW ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service January 4, 2002. I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, United States Patent and Trademark Office, Washington, D.C. 20231.

Theresa M. Good
NAME OF PERSON MAILING PAPER

Theresa M. Good
SIGNATURE

Sir:

In response to the Notice of Abandonment mailed on September 21, 2001, Applicants respectfully request reconsideration and withdrawal of the holding of abandonment based on failure to receive the office action mailed on February 2, 2001. In fact, no office action has ever been received by Applicants after Applicants' response to the U.S. Patent and Trademark Office filed on November 28, 2000.

In support of this Petition, Applicants have attached a copy of a docket report showing all items having a response due on May 2, 2001 (the cases are sorted by the initials of the attorney assigned to the case; the present application was assigned to "ML7," and any response to an office action would have appeared under the ML7 entry); a Statement of Facts by the undersigned attesting to a search and review of Applicants' file jacket and docket record indicating that an Office action was not received, and a Statement of Facts by a Theresa M. Good also attesting to

Serial No. 09/373,038

Attorney Dkt No. 98-26

the fact that the docket record was reviewed and indicates that no Office action was ever received after Applicants' response of November 28, 2000.

Therefore, Applicants respectfully request withdrawal of the holding of abandonment, and remailing of the Office action.

The Commissioner is authorized to charge the Petition fee of \$130.00 associated with this paper, as well as credit any refund or overpayment, to Deposit Account No. 03-1800. A copy of the first page of this response is enclosed for that purpose.

Respectfully submitted,

By:



Ralph E. Smith
Reg. No. 35,474
Attorney for Applicant

Dated: 1/04/2002

CIMS 483-02-19

DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION

DAIMLER CHRYSLER TECHNOLOGY CENTER

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AUBURN HILLS, MI 48326-2757

248-944-6519

Attorney Docket No. : 98-39

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriver

Filed: August 12, 1999

Art Unit: 3611

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

STATEMENT OF FACTS

Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service January 4, 2002. I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, United States Patent and Trademark Office, Washington, D.C. 20231.

Theresa M. Good
NAME OF PERSON MAILING PAPER

Theresa M. Good
SIGNATURE

Sir:

1. I, Theresa M. Good, am a patent administrative assistant currently employed by DaimlerChrysler Corporation.
2. I have over 18 years experience working in the area of intellectual property.
3. In response to receipt of the Notice of Abandonment mailed on September 21, 2001, I was asked to review our docketing database to determine whether the docket records were indicative of an office action being received in connection with the present application, as well as if a response was shown to be due on May 2, 2001.
4. Based on my review of our docketing database, I have found no entry or record in our docketing records that suggests an office action was ever received in

connection with the present application after mailing of the amendment on November 28, 2001.

Theresa M. Good
Theresa M. Good

1-4-02

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriver

Filed: August 12, 1999

Art Unit: 3611

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

STATEMENT OF FACTS

Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service January 4, 2002. I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, United States Patent and Trademark Office, Washington, D.C. 20231.

Theresa M. Good
NAME OF PERSON MAILING PAPER

Theresa M. Good
SIGNATURE

Sir:

1. I, Ralph E. Smith, am a registered practitioner having a registration number of 35,474.
2. In response to a Notice of Abandonment mailed on September 21, 2001, I carefully searched Applicants' file jacket and docket records to determine whether an Office action mailed on February 2, 2001, had ever been received in connection with the present application.
3. Based on my search, I verified that our office is the address of record for the present application. The last document entered in Applicants' file (other than the Notice of Abandonment) is a "Response to Office Action" mailed on November 28, 2000, which was responsive to a first office action mailed August 29, 2000. I could find no evidence indicating that any Office Action mailed after the Response to Office Action was ever received by our office.

Serial No. 09/373,038

Attorney Dkt No. 98-26

4. Likewise, I could find no evidence that our docketing system ever indicated that a response was due for the present application based on an Office action mailed on February 2, 2001.

5. I further verify that the attached docket report listing all items having a due date of May 2, 2001, is an accurate report of my search of our docket records.

Respectfully submitted,

By:


Ralph E. Smith
Reg. No. 35,474
Attorney for Applicant

Dated: 1/04/2002
CIMS 483-02-19
DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION
DAIMLER CHRYSLER TECHNOLOGY CENTER
800 CHRYSLER DRIVE
AUBURN HILLS, MI 48326-2757
248-944-6519

All Actions Due Report betw 5/2/2001 and 5/2/2001 with cod

Atty	Date Received	Due Date	Case #	Title	Appl Filed	Title
EPB						
	5/2/2001	C92-669/US/1	Maintenance Fee - 7 year maintenance fee		12/18/1992	An Output Assembly For A North-South Transaxle
	TOTAL: 1 Office Actions Received for EPB					
JRY						
	2/2/2001	5/2/2001	P705393/US/1	Allowance -	1/29/2000	METHOD OF PRODUCING A HOLLOW PROFILE WITH FLANGE
	2/2/2001	5/2/2001	C99-458/US/1	Amendments -	1/29/2000	APPARATUS FOR SECURING CARGO WITHIN A MOTOR VEHICLE
	TOTAL: 2 Office Actions Received for JRY					
LJS						
	5/2/2001	C91-1632/US/1	Maintenance Fee - 7 year maintenance fee		9/23/1992	STEERING COLUMN TILT ASSIST
	TOTAL: 1 Office Actions Received for LJS					
RAF						
	3/2/2001	5/2/2001	C87-1461/US/2	Missing Parts -	12/20/2000	DUAL ACTION HINGE ASSEMBLY
	TOTAL: 1 Office Actions Received for RAF					
6 Office Actions Received for Entire Patent Office						
	1/4/2002				Office Actions Received between	5/2/2001 and 5/2/2001